

ORDINANCE NUMBER 16-__

Chatham Hills PUD District Amendment

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENTS TO
THE CHATHAM HILLS PLANNED UNIT DEVELOPMENT DISTRICT AND THE
UNIFIED DEVELOPMENT ORDINANCE**

This is an Ordinance to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

WHEREAS, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance.

WHEREAS, the Council enacted Ordinance No. 13-24, Chatham Hills Planned Unit Development Ordinance on January 13, 2014 amended by Ordinance 15-28, enacted by the City Council on October 12, 2015 (collectively, the "Chatham Hills Planned Unit Development");

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 16__-PUD-__**), requesting an amendment to the Unified Development Ordinance and to the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 16__-PUD-__** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2016;

WHEREAS, the Common Council is subject to the provisions of the Indiana Code §36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Chatham Hills Planned Unit Development, Unified Development Ordinance and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 The Unified Development Ordinance and Zoning Map are hereby changed to incorporate the real estate described in **Exhibit A** into the Chatham Hills Planned Unit Development District (the “District”).
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, (ii) the Chatham Hills Planned Unit Development; and (iii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance or the Chatham Hills Planned Unit Development.
- 1.3 Chapter (“Chapter”) and Article (“Article”) cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.4 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. Underlying Zoning District(s). The Underlying Zoning District of the Real Estate shall be District I: Residential District of the Chatham Hills Planned Unit Development.

[Remainder of page intentionally left blank, signature page follows]

ALL OF WHICH IS ORDAINED/RESOLVED THIS __ DAY OF _____, 2016.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Jon C. Dobosiewicz

I hereby certify that **ORDINANCE 16-__** was delivered to the Mayor of Westfield

on the _____ day of _____, 2016, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 16-__**

this _____ day of _____, 2016.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 16-__**

this _____ day of _____, 2016.

J. Andrew Cook, Mayor

This document prepared by: James E. Shinaver and Jon C. Dobosiewicz, Nelson & Frankenger
550 Congressional Blvd, Suite 210, Carmel, IN 46032 (317) 844-0106

Chatham Hills PUD - 2016 Text Amendment 110116

SCHEDULE OF EXHIBITS

Exhibit A Real Estate (Legal Description)

Exhibit B Concept Plan

EXHIBIT A
(REAL ESTATE)

Parcel 1:

A part of the Southwest Quarter of Section 13, Township 19 North, Range 3 East located in Washington Township, Hamilton County, Indiana, being bounded as follows:

Beginning at the Northwest corner of the Southwest Quarter of Section 13, Township 19 North, Range 3 East; thence South 00 degrees 00 minutes 00 seconds (assumed bearing) 25.00 feet along the West line of said Southwest Quarter to the Northwest corner of a 2.500 acre tract of land described in Instrument No. 35665 and recorded in Deed Record 311, page 460 in the records of Hamilton County, Indiana, the next Four (4) courses are along the boundary of said 2.500 acre tract of land; 1.) thence North 88 degrees 04 minutes 29 seconds East 166.00 feet (North 89 degrees 03 minutes East 166.00 feet deed) parallel with the North line of said Southwest Quarter; 2.) thence South 20 degrees 06 minutes 31 seconds East 20.00 feet (South 19 degrees 08 minutes East 20.00 feet deed); 3.) thence South 65 degrees 05 minutes 39 seconds East 108.52 feet (South 63 degrees 41 minutes East 110.58 feet deed) 4.) thence South 00 degrees 00 minutes 00 seconds 318.17 feet parallel with the West line of said Southwest Quarter to the South line of 12 1/2 acres off the North end of the West half of said Southwest Quarter; thence North 88 degrees 04 minutes 29 seconds East 1,053.32 feet along the South line of said 12 1/2 acre tract of land to its Southeast corner and the East line of the West half of said Southwest Quarter; thence North 00 degrees 04 minutes 32 seconds East 411.21 feet along the East line of the West half of said Southwest Quarter to the Northeast corner of the West half of said Southwest Quarter, said corner is collinear with and equidistant from the Northeast corner and the Northwest corner of said Southwest Quarter; thence South 88 degrees 04 minutes 29 seconds West 1,325.22 feet along the North line of said Southwest Quarter to the point of beginning.

Parcel 2:

A part of the West Half of the Southwest Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, described as follows:

Beginning on the west line of said half-quarter section a distance of 25.00 feet South from the northwest corner of said half-quarter section (this and all subsequent bearings in this description being based on the same system); thence North 89 degrees 03 minutes East 166.00 feet parallel with the north line of said half-quarter section; thence South 19 degrees 08 minutes East 20.00 feet; thence South 63 degrees 41 minutes East 110.58 feet; thence South 349.40 feet parallel with the west line of said half-quarter section; thence South 89 degrees 03 minutes West 271.36 feet parallel with the north line of said half-quarter section to the west line of said half-quarter section; thence North 417.42 feet along said west line to the point of beginning and containing 2.500 acres, more or less.

Parcel 3:

Part of the West Half of the Southwest Quarter of Section 13, Township 19 North, Range 3 East in Hamilton County, Indiana, more particularly described as follows:

Beginning at a point of the West line of the West Half of the Southwest Quarter of Section 13,

Township 19 North, Range 3 East, which is 411.19 feet South 00 degrees 00 minutes 00 seconds (assumed bearing) of the Northwest corner of said West Half; thence North 88 degrees 04 minutes 29 seconds East parallel with the North line of said West Half 1324.68 feet to the East line of said West Half; thence South 00 degrees 04 minutes 32 seconds West on and along said East line 415.00 feet; thence North 89 degrees 30 minutes 47 seconds West 1323.43 feet to the West line of said West Half; thence North 00 degrees 00 minutes 00 seconds on and along said West line 359.25 feet to the place of beginning, containing 11.763 acres, more or less.

Parcel 4:

Part of the Southwest Quarter of Section 13, Township 19 North, Range 3 East, Hamilton County, Indiana, described as follows:

Commencing at the Southwest corner of said Quarter Section; thence North 88 degrees 55 minutes 44 seconds East (assumed basis of bearings) along the South line of said Quarter Section 395.64 feet to a Railroad spike, being the Point of Beginning; thence North 0 degrees 00 minutes 00 seconds East, parallel with the West line of said Quarter 360.06 feet to a 5/8" rebar with red cap; thence North 88 degrees 55 minutes 44 seconds East, parallel with the South line of said Quarter Section 363.00 feet to a 5/8" rebar with red cap; thence South 0 degrees 00 minutes 00 seconds West, parallel with the West line of said Quarter Section, 360.06 feet to a Railroad spike on the South line of said Quarter Section; thence South 88 degrees 55 minutes 44 seconds West along said South line; 363.00 feet to the point of beginning and containing 3.00 acres, more or less. Subject to the right of way for 206th Street off the entire South side thereof.

EXHIBIT "A"

(Real Estate)

